Message

From: Wu, Jennifer [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=885E149E9BDD4094BF34508D7454CDFA-WU, JENNIFER]
Sent: 11/14/2018 6:07:29 PM
To: Ott, Ellie (ECY) [EKEY461@ECY.WA.GOV]
Subject: RE: Lower Columbia: McNary Lock and Dam

Thanks so much, Ellie. I appreciate the comments and glad that you and Todd are connecting today. It would be great to talk more on the comments once I get them. Once you send all the comments, I'd love to have a call with you. I also wanted to let you know about a few other changes I was planning to make on the permits to see what feedback you have.

Thanks again for getting these to me. I'm still hopeful we might go out for public comment in early to mid-December with these comments. - Jenny

From: Ott, Ellie (ECY) <EKEY461@ECY.WA.GOV>
Sent: Wednesday, November 14, 2018 10:02 AM
To: Wu, Jennifer <Wu.Jennifer@epa.gov>
Subject: Lower Columbia: McNary Lock and Dam

Hi Jenny – I've been working my way through the permits and finally can give you more tangible comments. I'm talking to Todd Thorn (Colville Tribes) today and can put my comments re: Grand Coulee in another email after the two of us talk. Look for the Snake review later this week.

I'm going to send comments for each dam and the fact sheet under separate emails. Given that several of the conditions are identical, several comments will overlap.

McNary Lock and Dam

- Page 2; The schedule of submittals is incomplete based on the requirements of the permit. For example, it does not include the Annual Adaptive Management Report for the BMP Plan (see page 10). Having all submittals listed up front will avoid confusion in this first permit cycle.
- Effluent Limitations and Monitoring:
    - Consider adding a requirement for photographic documentation to substantiate the observation of the receiving water in the vicinity of the effluent discharge.
    - The permit contains no mechanism to verify that PCBs are not being discharged. Characterization monitoring needs to be a part of the permit requirements to inform BMP implementation. (see comments on BMP section).
    - Table 1: How is flow to be measured once per month at these outfalls assuming these are continuous discharges? Ecology recommends continuous flow recording to assist in limit development in the next permit and to verify discharge volumes listed in the fact sheet. If these outfalls do not have continuous discharges and are based on the frequency of emptying a sump via pumping, then clarify that the flow rate should be recorded during every discharge event.
    - Temperature monitoring was left out of this permit entirely. Please include a description in the fact sheet as to why temperature monitoring is not required for this outfall (e.g., no cooling water discharge). Or, include a provision for temperature monitoring.
- Special Conditions:
    - *QAP*: The requirements for the Quality Assurance Plan do not indicate that the QAP is subject to EPA review and approval. As a permit submittal that forms the basis of the self-reporting requirements, Ecology believes that the document (and any subsequent revisions) should be subject to agency approval.

- *BMP Plan*: The plan must be prepared in accordance with good engineering practices; however, there is no requirement for this report to be signed/sealed by a registered professional engineer. Please clarify whether or not EPA intends the BMP Plan to be prepared by a WA State registered professional engineer. Otherwise, qualify what is meant by good engineering practices.
- *BMP Plan*: Ecology does not support delay of preparation and compliance of the BMP plan with approval from the Director in writing. If this were to occur, per 40 CFR 122.62, a permit modification complete with a public notice is required to delay the submittal. See public notice requirements in Part 124 or EPA Permit Writers Manual, Chapter 11, Section 11.4.2
- *BMP Plan:* This section does not include a specific provision for EPA review and approval. As a permit submittal the initial report and any annual updates should be reviewed (and approved) to ensure completeness and accuracy. Please revise B.3.c to include specific language about submission requirements and subsequent approval by the Director or an authorized representative.
- *BMP Plan:* Use of a BMP infers that there is reasonable potential to violate a water quality standard. Plan requirements involve amendments when there are changes in design, etc. at the facility. How will the facility know that the implemented BMPs are correctly functioning as installed without effectiveness monitoring? This is especially the case regarding release of any PCB containing fluids. Also, as written the plan does not include a quantifiable source reduction requirement. Appendix B requires a summary of existing discharge data; however, the sampling requirements listed in Section I of the draft permit do not substantiate the adaptive management process that makes a BMP process successful. Note: effectiveness monitoring does not need to use 40 CFR 136 methods. For some parameters, these methods are not sensitive enough to form the basis of an adaptive management/BMP approach.
- *BMP Plan:* The Annual Report submission requirement does not clearly explain the analysis expected. Please revise to ensure the permittee knows that this annual report needs to evaluate the effectiveness of all BMPs implemented onsite, what was effective, what was not effective (and needed changing) and the adaptive management that occurred as a result.

- Appendix A: consider listing the approved method for each parameter and dual reporting limits, if possible. No temperature monitoring is required in the draft permit.

Do you want to schedule a conference call after I get you my comments on the other draft permits?

Ellie

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